E.P.P.H (1948) Department

SERIES.

G.O. No. 2970

Dated 31-8-48

[Despatch Abstract.]

Licence - Panchayat Boards -Issue of licence for pottery kilns - Instructions issued

GOVERNMENT OF MADRAS
PUBLIC HEALTH DEPARTMENT.
G.O.(Ms.)No.2970, Public Health D/31-8-1948.

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ABSTRACT

LICENCE - Panchayat Boards - Issue of licence for pottery kilns - Instructions issued -

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READ:-

From the President, Tenkasi Taluk Potters' Association, Tenkasi, petition dated 29-12-1947.
Government Memorandum No.1367,F2/48, -1.P.H., dated 30-1-1948.
From the Inspector of Municipal Councils and Local Boards, L.Dis.6470-48, dated 23-3-1948.
" the Director of Public Health, R.No.24652.3.Hyg.48., d/17-7-1948.

O R D E R:

Under section 193 of the Madras Local Boards Act, a Panchayat may require the potters in its area to take licences for carrying on their trades in the panchayat area. A representation has been made to Government by the President, of the Tenkasi Taluk Potters' Association that much hindrance is caused to them in the pursuit of their profession on account of the fact that the Panchayat authorities refuse to renew their licences for carrying on their trades in and near their homes. The Government agree that the panchayats should not unnecessarily interfere with the potters' trade which is the only source of livelihood for them.

2. The Inspector of Municipal Councils and Local Boards is requested to issue a circular to the Executive Officers of all panchayats that they should consult the Health Department in cases where dwelling houses of other communities exist near the potters' kilns, before they pass orders refusing to renew the potters' licences so that each case may be considered on its merits.

3. The Director of Public Health is requested to instruct the Health staff that whenever such a consultation is made by the Executive Officers of the Panchayats, the Health staff should consider each case on its merits. They should examine whether a Kiln should be necessarily removed from its existing place in the interest of public health and also give necessary advice to the Executive Officers.

4. The District Panchayat Officer, Tinnevelly seems to be under the misapprehension that, under section 193 of the Madras Local Boards Act, the renewal of a licence cannot be refused on grounds of public health without framing by-laws for the licensing of the trade. The Government consider that this view is not correct and that it is always open to the licensing authority to refuse the renewal of a licence on grounds of public health even in the absence of by-laws framed for the purpose.

5. The stay orders issued in the Memorandum cited above are hereby vacated.

H.E.
(BY ORDER OF/THE GOVERNOR)

(Sd.) xxxx,
Secretary to Government.

p.t.o.

To
The Inspector/Municipal Councils and Local Boards.
The Director of Public Health.
The President,
Tenkasi Taluk Potters' Association, Tenkasi.

/TRUE COPY/

Superintendent,
Madras Record Office.

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